

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, JUNE 23 19 87

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING June 23 A.D., 1987,  
IN Regular SESSION. PRESIDENT Mark E. GiaQuinta  
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND  
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING  
MEMBERS \_\_\_\_\_ VIZ:

BRADBURY P, BURNS P, EISBART P,  
GiaQUINTA P, HENRY P, REDD P,  
SCHMIDT P, STIER P, TALARICO P,

ABSENT: \_\_\_\_\_

COUNCILMAN: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

THE INVOCATION WAS GIVEN BY \_\_\_\_\_

THE MINUTES OF THE LAST REGULAR June 9 87, 1987,  
\_\_\_\_\_, 1987,

SPECIAL                 , 19      ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED  
AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular                  Session, held on Tuesday  
the 23rd                  day of June                  , 1987,

that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

SANDRA E. KENNEDY, CITY CLERK



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

15 June 1987

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-05-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
15th day of June 1987.

Robert Hutzner  
Secretary

**Division of Community  
Development & Planning**

BILL NUMBER

**BRIEF TITLE**

Zoning Ordinance Amendment  
From R-1 to R-3

**APPROVAL DEADLINE**

**REASON**

**DETAILS**

**Specific Location and/or Address**

1515 & 1605 Laverne Avenue

**Reason for Project**

Potential Office Development

THIS REQUEST HAS BEEN WITHDRAWN BY THE PETITIONER

**Discussion (Including relationship to other Council actions)**

18 May 1987 - Public Hearing

Jerry McArdle, representing the petitioners stated that the property in question is adjacent to the Lake Avenue Professional Park. He stated if the rezoning was granted the land would be used for the expansion of the professional park. He stated that the area is surrounded by professional office uses. He stated that they intend to construct a building with a little over 6,000 sq ft and it will be 1-story.

Baron Biedenweg questioned how they would provide access to the new structure.

Mr. McArdle stated from Laverne Avenue. He stated that there is a curb cut on Lake Avenue but they presently use the one on Laverne.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

**POSITIONS**

**Sponsor**

**RECOMMENDATIONS**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

**Applicant(s)**

Wm Murphy; Mr. & Mrs. Orville Ziegel; Mr & Mrs Greg Ziegel  
**City Department**

Other

**Opponents**

**Groups or Individuals**

**Basis of Opposition**

**Staff  
Recommendation**

For

Against

Reason Against

**Board or  
Commission  
Recommendation**

By

For       Against  
 No Action Taken

For with revisions to condition  
(See Details column for conditions)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

<input type="checkbox"/> Pass	<input type="checkbox"/> Other
<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass

**DETAILS**

1 June 1987 - Business Meeting

Motion was made to accept the requested withdrawal.

Of the 8 members present 7 voted in favor of the withdrawal one (1) did not vote.

Motion carried.

**POLICY/PROGRAM IMPACT**

Policy or  
Program  
Change

No     Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date 15 April 1987

Projected Completion or Occupancy

Date 15 June 1987

Fact Sheet Prepared by

Date 15 June 1987

Patricia Biancaniello

Reviewed by

*Gerry Balo*

Date 6/15/87

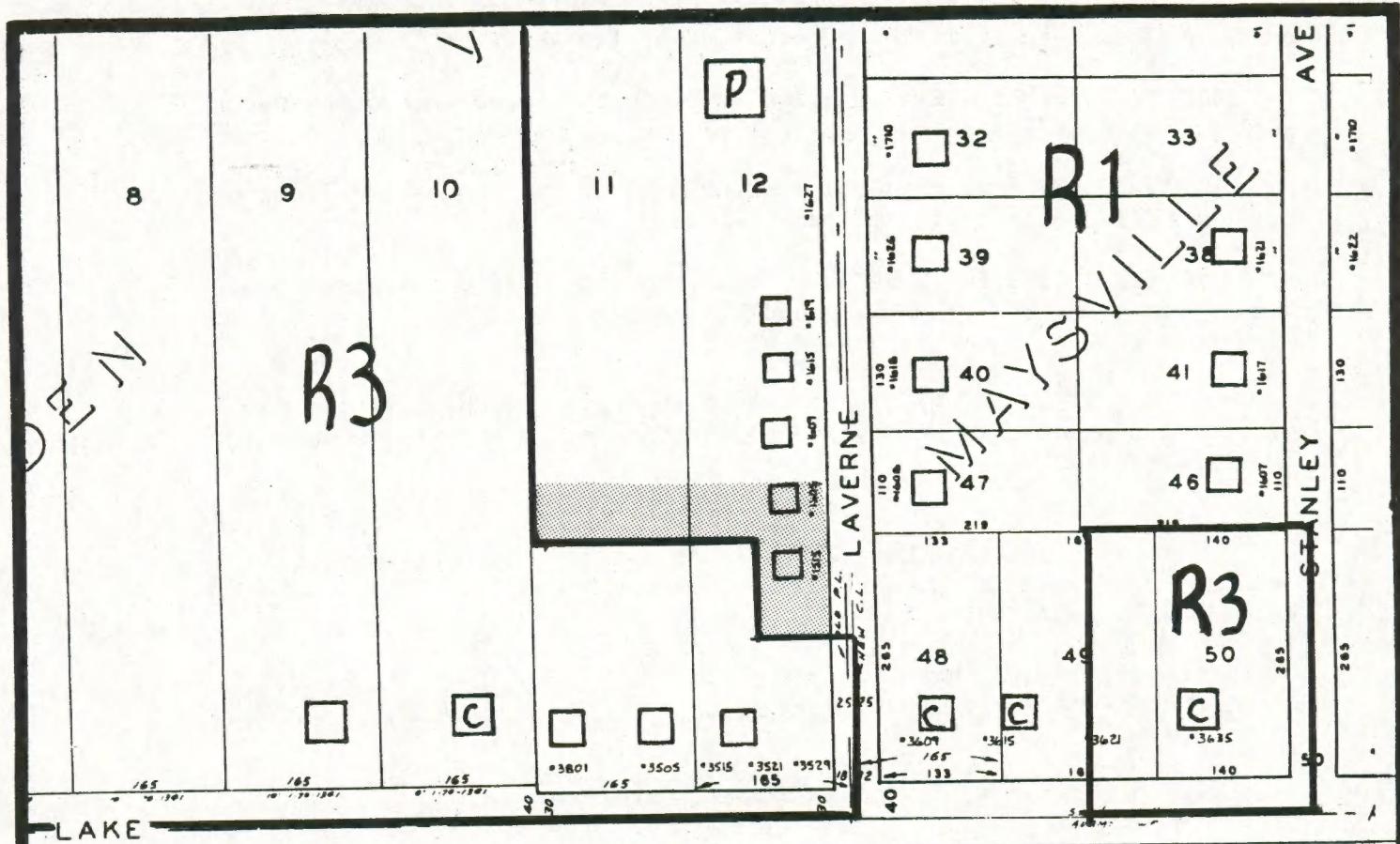
Reference or Case Number

# REZONING PETITION #27

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO AN R-3 DISTRICT.

MAP NO. R-14

COUNCILMANIC DISTRICT NO. 2



CEMETERY

R1

## ZONING:

R1 RESIDENTIAL DISTRICT

R3 RESIDENTIAL DISTRICT

## LAND USE:

- SINGLE FAMILY
- COMMERCIAL
- PUBLIC SCHOOL

SCALE: 1" = 200'

DATE: 4-27-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-31: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

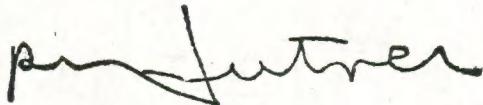
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.



---

Robert Hutner  
Secretary

Change of Zone #271

William Murphy, M/M Orville Ziegel and M/M Gregg Ziegel, request a change of zone from R-1 to R-3

Location: 1515 & 1605 LaVerne Ave.

Legal: See file

Land Area: Approximately 1.45 acres.

Zoning: R-1

Surroundings:	North	R-1	Residential & school
	South	R-3	Offices
	East	R-1	Residential & commercial
	West	R-3	Offices & commercial

Reason for Request: Potential office development

Neighborhood Assoc.: None

Neighborhood Plan: No Comment

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods.

Planning Staff Discussion:

The area along Lake Ave. has seen numerous developments in recent years leading to the nickname of "Office Row". Apparently the Board of Zoning Appeals has been quite active in determining the merits of office uses in R-3 designations along this stretch of Lake Avenue.

The parcel before us is for a location on LaVerne Ave., just north of an existing office use. The R-3 designation would allow multi-family dwellings, and the potential for an office use, if approved by the Board of Zoning Appeals.

## Change of Zone #271

While an argument could be made that multi-family residential uses may provide some buffering of the office uses from the established residential uses along LaVerne Avenue, we must also concern ourselves with the possibility of office uses spreading onto residential streets.

LaVerne Avenue is predominantly residential in use, with offices located at Lake Avenue, and commercial development at the State Street intersection. Allowing office uses to extend north from Lake Ave. would be setting a precedent that could lead to the loss of this street's residential nature. Offices would potentially generate more traffic than residential uses, leading to the need of costly street improvements, and adversely impacting the residential uses already established. The potential for this neighborhood is already effected by developments at both north and south intersections. Further rezoning could hasten the overall impact and create a commercial or office strip. It would not appear that this would be in the best interest of existing development, or in view of the Comprehensive Plan.

### Recommendation: Do Not Pass

- 1) Approval would encourage the encroachment of non-residential uses into a predominately residential area.
- 2) Approval could adverse impact the area due to demands on capital improvement items, and traffic generation.
- 3) Approval would establish a precedent, and would lead to the eventual conversion of residential land between Lake Ave. and State Street.
- 4) Other areas of the city have been marked for office development and have available land. The Plan Commission would be better suited to encourage development of those areas, prior to creating another 'office strip' area.



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

15 June 1987

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

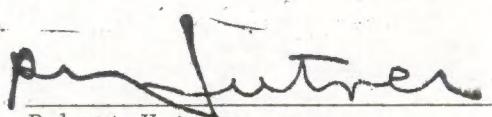
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-05-32

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
15th day of June 1987.



Robert Hutner  
Secretary

An Equal Opportunity Employer  
One Main Street, Fort Wayne, Indiana 46802

# Division of Community Development & Planning

4-01-00-34

BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON																
Zoning Ordinance Amendment																		
From RA to POD																		
<b>DETAILS</b>																		
<b>Specific Location and/or Address</b> 6300 North Clinton Street																		
<b>Reason for Project</b> Professional Office Development																		
<b>Discussion (Including relationship to other Council actions)</b> <p><u>18 May 1987 - Public Hearing</u></p> <p>The minutes for the public hearing are attached.</p> <p><u>1 June 1987 - Business Meeting</u></p> <p>Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.</p> <p>Of the 8 members present 5 voted in favor of the recommendation 3 voted against the recommendation.</p> <p>Motion carried.</p> <p>NOTE: Any conditions or requirements for this project are placed on the development plan and not on the rezoning. These requirements would have to be satisfied prior to approval of the development plan.</p>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">POSITIONS</th> <th style="width: 60%;">RECOMMENDATIONS</th> </tr> </thead> <tbody> <tr> <td>Sponsor</td> <td>City Plan Commission</td> </tr> <tr> <td>Area Affected</td> <td>City Wide  Other Areas</td> </tr> <tr> <td>Applicants/ Proponents</td> <td>Applicant(s)  Darryl Agler City Department  Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals  Crestwood Neigh Association Clarence Henderickson <b>Basis of Opposition</b> -water runoff problem in area would be worsened by an office development</td> </tr> <tr> <td>Staff Recommendation</td> <td> <input checked="" type="checkbox"/> For      <input type="checkbox"/> Against             Reason Against         </td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>           By   <input checked="" type="checkbox"/> For      <input type="checkbox"/> Against  <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to condition (See Details column for condition)         </td> </tr> <tr> <td>CITY COUNCIL ACTIONS (For Council use only)</td> <td> <input type="checkbox"/> Pass      <input type="checkbox"/> Other  <input type="checkbox"/> Pass (as amended)      <input type="checkbox"/> Hold  <input type="checkbox"/> Council Sub.      <input type="checkbox"/> Do not pas         </td> </tr> </tbody> </table>			POSITIONS	RECOMMENDATIONS	Sponsor	City Plan Commission	Area Affected	City Wide  Other Areas	Applicants/ Proponents	Applicant(s)  Darryl Agler City Department  Other	Opponents	Groups or Individuals  Crestwood Neigh Association Clarence Henderickson <b>Basis of Opposition</b> -water runoff problem in area would be worsened by an office development	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against	Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pas
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## DETAILS

## POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start Date 13 April 1987

Projected Completion or Occupancy Date 15 June 1987

Fact Sheet Prepared by Date 15 June 1987

Reviewed by Patricia Biancaniello

Reviewed by

Gary Baxter

Reference or Case Number

Date 6/16/87

Darryl Agler, President of Westlane Development Incorporated appeared before the Commission. Mr. Agler stated that he was proposing an office site on a 5.4 acre site. He stated that they are proposed 4 2-story buildings of 13,000 sq ft each. He stated the buildings will be of a residential frame construction with a wood and masonry exterior. He stated that they realize in the past that there was strong opposition to the development of this site because of the water runoff. He stated that engineer Kerry Dickmeyer has been working with City Water Engineer Terry Atherton and has developed an engineering plan that they feel will more than balance the amount of runoff that we will be adding to the site.

Mal Smith questioned how much traffic they anticipated generating from this development.

Mr. Agler stated that they anticipated 25 to 30 offices and it will depend somewhat on the tenants as to how much traffic will be generated.

Steve Smith asked them to explain how they intended to handle the flooding in the area.

Kerry Dickmeyer stated that they have proposed widening of the Kramer Ditch which runs along the North and West property lines of their property. He stated they intend to increase the area capacity of the ditch. He stated the average end area of the capacity of the ditch as it exists now is approximately 224 sq ft what they are intending to increase it up to 310 sq ft. He stated that the drainage capacity of the ditch presently is 970 cubic feet per second what the ditch capacity will be after the development will be 1700 cubic feet. He stated they intend to clean the ditch out and add approximately 1 foot of extra depth to the ditch. He stated they will more than double the storage capacity of the ditch.

Janet Bradbury questioned since this was an open ditch what type of safety problems this would cause. She questioned how much water could be standing in this ditch.

Kerry Dickmeyer stated that it could hold up to 7 foot of water. He stated the ditch bank has a steep slope presently and they intend to flatten that out so that it is not such a steep edge.

Janet Bradbury questioned if they had met with the Community Association that border the ditch.

Mr. Agler stated that he had spoken with Pastor of Gethsamene Lutheran Church, Bud Hartman, Pres. of the Crestwood Association was out of town last week. He stated that he spoke with Liz Armstrong the Assistant Vice-President and also with a representative from the Quaker Church.

Janet Bradbury questioned if it would be an enormous increase in cost to put in a covered drain.

Mr. Dickmeyer stated it would not only be an increased cost factor but an open ditch can carry a great deal more capacity and also allows for some onsite storage.

Janet Bradbury stated that she felt it was a safety hazard for the children in the area.

Darryl Agler stated that the ditch is existing now and they are simply going to clean it up and widened it. He stated they are only going to add two foot of depth. He stated if there is a safety hazard it is already existing.

Clarence Henderickson, 6734 Baytree Drive, stated that he has lived in his home for 17 years and has always had a water problem. He stated that this development would add even more of a water problem and he did not feel that widening the ditch would help to solve the problem. He stated that the residents of Crestwood wanted to protest this development strongly. He stated that the Association would like more information from the developer as to what they intend to do.

Steve Smith questioned if the Association had a formal meeting and voted against this development.

Mr. Henderickson stated that their President Mr. Bud Hartman has been ill and he did not think there had been any formal meeting to vote on this issue.

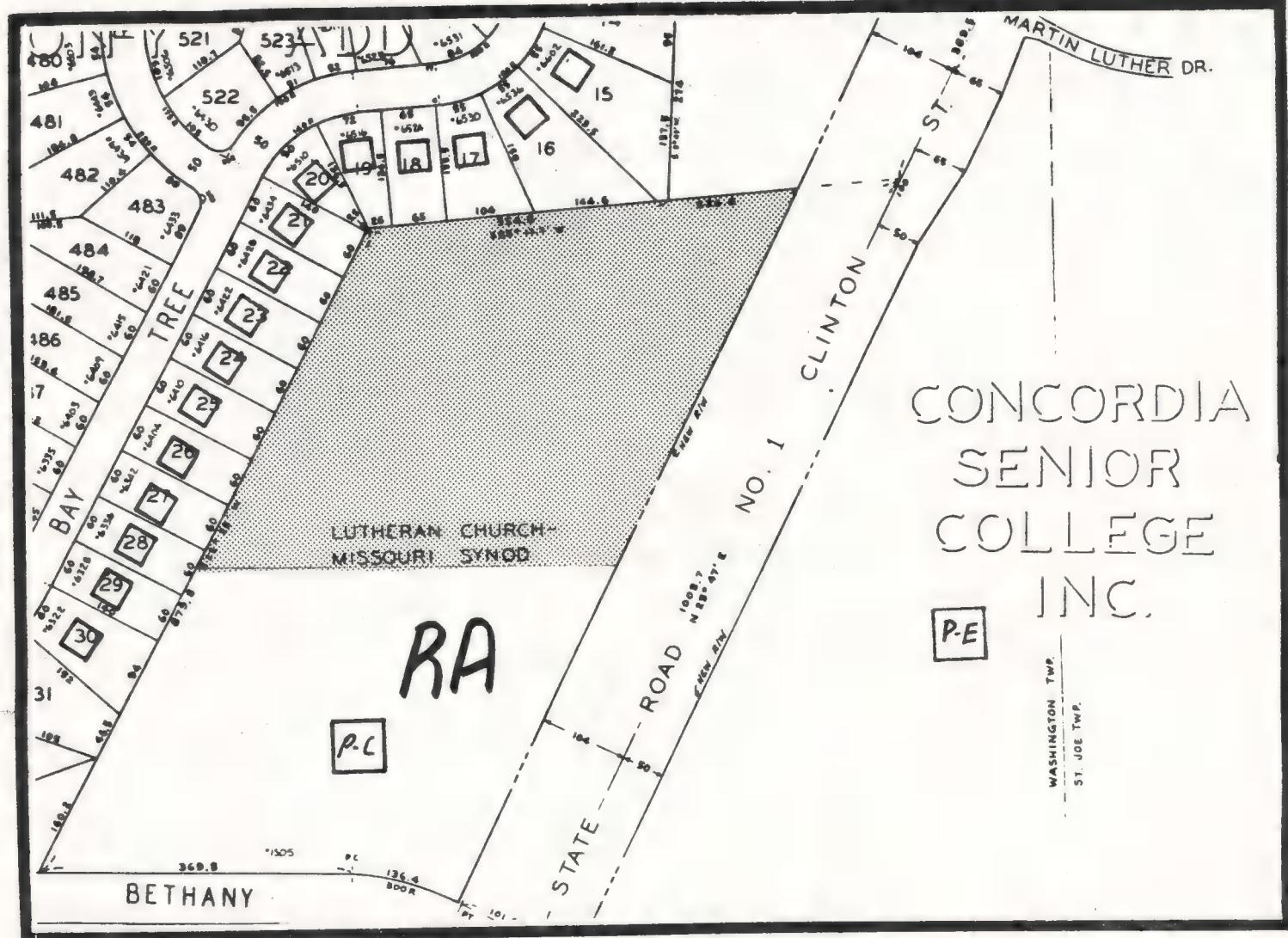
Kerry Dickmeyer stated they intend to clean out the ditch. He stated that there is no flood plain on this property or adjacent to it. He stated the nearest the flood plain is on the east side of North Clinton.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning or development plan.

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING  
THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A P.O.D. DISTRICT.

MAP NO. O-38

COUNCILMANIC DISTRICT NO. 3



**ZONING:**

RA RESIDENCE 'A'

**LAND USE:**

- SINGLE FAMILY
- PUBLIC CHURCH
- PUBLIC EDUCATIONAL

SCALE: 1" = 200'

DATE: 4-29-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

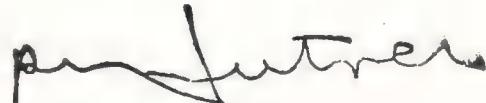
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.



---

Robert Hutner  
Secretary

Change of Zone # 269

Darryl Agler requests a change of zone from RA to P.O.D.

Location: 6300 North Clinton

Legal: See file

Land Area: Approximately 5 acres.

Zoning: RA

Surroundings: North RA Church  
South RA Church  
East RA Concordia Senior College  
West RA Single Family residential

Reason: Professional Office Development

Neighborhood Assoc.: Concordia Gardens Community Association  
Statewood Park Association

Neighborhood Plan: No Comment

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the North Sector, where this request is located, is for orderly growth.

Planning Staff Discussion:

There have been previous attempts to develop this parcel that have been unsuccessful. The topography of this parcel is such that it drops away from the road, and has a drainage ditch located at its perimeter. Past projects have apparently been unable to deal with these, and other constraints in a financially effective manner.

The parcels immediately north and south of this site are churches. Residential uses are located further north, and to the west, with Concordia Senior College to the east. Access would be from North Clinton Street, which is a four lane highway.

**Change of Zone #269**

Due to the concerns and requirements of development, this may be the most appropriate use of the land. P.O.D.'s are used as a buffering technique, or transitional development, separating higher intensity uses/areas from less intense uses. This development would serve to protect the residential subdivision from traffic volumes and retail developments on Clinton Street.

**Recommendation:**      Do Pass

- 1) Approval will provide a buffer, lessening the impact of the traffic volumes on N. Clinton Street from residential uses.
- 2) Approval would be compatible with existing development in the immediate North Clinton Street area.



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

15 June 1987

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
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Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-05-38

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
15th day of June 1987.

Robert Hutner  
Secretary

# Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment From B-3-B to R-1		

DETAILS	POSITIONS	RECOMMENDATIONS
<b>Specific Location and/or Address</b> Approximately 18.65 A lying to the East of Getz Road and the rear of the O'Daniels's Auto Dealership.	<b>Sponsor</b> City Plan Commission	
<b>Reason for Project</b>  Downzoning from commercial to residential.	<b>Area Affected</b> City Wide  Other Areas	
<b>Discussion (Including relationship to other Council actions)</b>  <u>18 May 1987 - Public Hearing</u>  V.C. Seth, Director of Planning for CD&P stated that the change of zone was being initiated by the Plan Commission. Mr. Seth stated that when O'Daniel's request came before the Commission for a change of zone they requested the rezoning for this southern portion as well as the northern portion of land. He stated that the Plan Commission recommended denial of the southern portion and approved the rezoning on the northern portion of land. He stated however that when the ordinance was forwarded to City Council the wrong legal description was submitted and the entire parcel was rezoned to commercial. He stated the Plan Commission is trying to correct that error with this request.  There was no one present to speak in favor of or in opposition to the proposed rezoning.	<b>Applicants/Proponents</b> Applicant(s) City Plan Commission <b>City Department</b>  Other	
	<b>Opponents</b> Groups or Individuals  <b>Basis of Opposition</b>	
	<b>Staff Recommendation</b> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against  <b>Reason Against</b>	
	<b>Board or Commission Recommendation</b> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)	
	<b>CITY COUNCIL ACTIONS</b> (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

**DETAILS**

1 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present seven (7) voted in favor of approval one (1) did not vote.

Motion carried.

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

**Project Start**

**Date** 1 April 1987

**Projected Completion or Occupancy**

**Date** 15 June 1987

**Fact Sheet Prepared by**  
Patricia Biancaniello

**Date** 15 June 1987

**Reviewed by**

*Jeny Balto*

**Date**

*6/16/87*

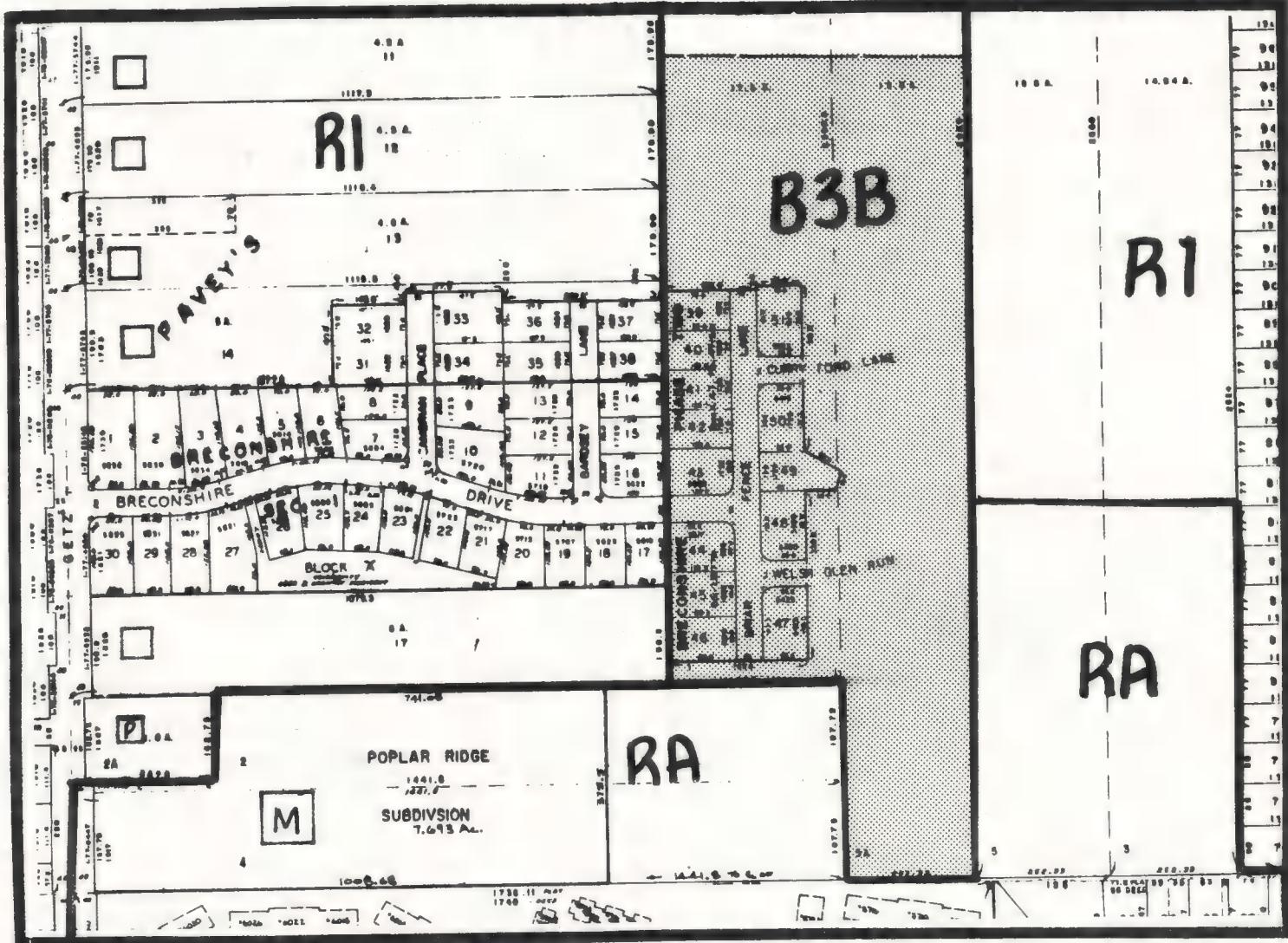
**Reference or Case Number**

# REZONING PETITION #268

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A B-3-B DISTRICT TO AN R-1 DISTRICT.

MAP NO. E-2

COUNCILMANIC DISTRICT NO. 4



## ZONING:

RI RESIDENTIAL DISTRICT  
RA RESIDENCE 'A'  
B3B LIMITED BUSINESS 'B'

## LAND USE:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL
- PUBLIC-CHURCH

SCALE: 1" = 250'

DATE: 4-27-87

L.W.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-38; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.



Robert Hutner  
Secretary

Change of Zone #268

The Fort Wayne City Plan Commission requests a change of zone from B-3-B to R-1.

Location: To the east of Getz Road and the rear of the O'Daniels Auto Dealership.

Land Area: Approximately 18.65 acres.

Legal: See file

Zoning: B-3-B

Surroundings: North B-3-B O'Daniels Auto Dealership  
South RA Residential  
East RA Residential  
West R-1 Single Family Residential

Reason for Request: Downzoning to R-1

Neighborhood Assoc.: Breconshire Community Association

Neighborhood Plan: No Comment

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the West Sector, where this request is located, is to contain urban growth within the urban service line.

Planning Staff Discussion:

When the O'Daniels rezoning petition was processed there was a perfection of the parcel by the Plan Commission. This perfection, or deletion of portions of the parcel, required the submittal of a new legal description, excluding this southern portion of the original petition.

Unfortunately, City Council acted upon the petition containing the original legal description, thereby extending the B-3-B classification further to the south than what was approved by the Plan Commission. This error was not immediately discovered. When the error was realized, staff proceeded to insure the proper manner in which to correct the error.

Change of Zone #268

Approval of this rezoning would classify the property in the manner that was the original intent of the Plan Commission, and would preserve the residential integrity of the grounds located along the borders of the petitioned parcel. With residential uses already heavily established in the area, approval would be much more compatible with the immediate area.

Recommendation: Approval

- 1) Approval would be in the best interest of preserving the residential integrity of the area.
- 2) Approval would not adversely impact any abutting property owner.
- 3) Approval would correct an error of omission, satisfying the original intent of the Plan Commission.



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

15 June 1987

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-05-30

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
15th day of June 1987.

Robert Hutner  
Secretary

# Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON	
Zoning Ordinance Amendment			
From M-2 to B-2-D			
DETAILS		POSITIONS	RECOMMENDATIONS
<b>Specific Location and/or Address</b> 4020 Northrop Street		Sponsor	City Plan Commission
<b>Reason for Project</b>  Expansion of Glenbrook Mall. Two new buildings with a total square footage of 271,671 square feet.		Area Affected	City Wide  Other Areas
		Applicants/ Proponents	Applicant(s)  Lake County Trust Company City Department  Other
<b>Discussion (Including relationship to other Council actions)</b>  <u>18 May 1987 - Public Hearing</u>  The minutes from the public hearing are attached.		Opponents	Groups or Individuals  Basis of Opposition
<u>1 June 1987 - Business Meeting</u>  Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.  Of the 8 members present 7 voted in favor of the motion, one (1) did not vote.  Motion carried.  NOTE: Any conditions or requirements regarding this project would be placed on the development plan and not on the rezoning. Those requirements would have to be satisfied prior to the development plan being approved.		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
		Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for conditions)
<b>CITY COUNCIL ACTIONS</b> (For Council use only)		<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

**DETAILS****POLICY/PROGRAM IMPACT**

Policy or  
Program  
Change

 No Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date 15 April 1987

Projected Completion or Occupancy

Date 15 June 1987

Fact Sheet Prepared by

Date 15 June 1987

Patricia Biancaniello

Reviewed by

Date

6/15/87

*Gary Barts*

Reference or Case Number

Robert Hoover, attorney for Landau and Hindman Inc., which is the developer and manager of Glenbrook Shopping Centers stated the street and alley they are proposing to vacate are in the middle of the area they were presenting for a rezoning and the amendment to a development site plan for Glenbrook Commons and requested that they all be taken together. Mr. Hoover stated that they have acquired approximately 15 acres joining and to the west of the existing shopping center. He stated that the property is currently zoned M-2. He stated that from time to time Glenbrook has acquired certain lots in Fernhill Amended Addition which adjoin the southeasterly boundary of the center. He stated that they are proposing to add to the shopping center these odd lots as well as the 15 acres where Fort Wayne Structural Steel sets making it an addition of approximately 18 acres. He stated that the present property is approximately 124 acres which is presently zoned B2D, a Regional Shopping Center Classification. He stated that while the M-2 District would permit commercial development after consultation with the plan commission staff and because of the substantial integration of the proposed new development with the existing, it was determined to rezone the balance of the property to B2D and to amend the existing development site plan for Glenbrook. He stated that a commercial use such as they are proposing is the best and most desirable use of the property and meets with the objectives of the City's Comprehensive Plan. He stated that although there are some scattered residences in the area most all of the surrounding area is used for commercial purposes and the existing shopping center is the focal point of that activity. He stated that they propose to construct approximately 273,000 sq ft of new tenant space. He stated that they will have 4 anchor stores and all new space will

be 1-story in height. He stated that they are proposing to add 1,399 new parking spaces which will bring the total spaces to 7,891. He stated that this is a ratio of 5.97 parking space for each 1,000 sq ft of gross leasable area in the center, well above current industry standards. He stated in addition they also propose to do some remodeling to approximately 17,000 sq ft in the existing center at the northeast entrance. He stated that the purpose of the modernization is to give some architectural features to the existing center, to the outside of the mall, and help tie the design to the new space. Mr. Hoover displayed renderings of the proposed remodeling to the Commission. He stated that they have a traffic study that was prepared by Barton Ashman Associates, Inc. He stated that in addition to the zoning and regulatory requirements this study was obtained to satisfy Indiana Department of Highway Warrant Study Requirements for a new traffic light on Northrop Street. He stated as a result of the study their engineers recommendation and numerous consultations with the City Traffic and Street Engineering Departments it was concluded that the existing road signals and means of access are adequate to handle the proposed development with the following changes. He stated they propose the main entrance for the new area to be from Northrop Street at approximately the middle of the property. He stated a traffic signal will be installed at that area, which signal will be tied into the signal at Northrop and Coliseum to the north, and Northrop and Fernhill to the south. He stated that there will be a left turn lane out of the property at this location and a left turn lane into the property and Northrop Street will be widened in order to provide the proper excel and decel lanes. He stated that the location of the drive at that area permits proper stacking going into the left turn lane into the property and gives adequate room for people coming up and making a left turn at Northrop and Coliseum for proper stacking for a left turn at that signal. He stated that they have agreed to a right out only exit at the very south end of the property. He stated that they have agreed to design the exit so that the median to the south will be extended and this will prevent people from making left turn onto Northrop. He stated that the purpose of this exit is to provide an exit drive for service vehicles that will serve the rear of the southerly portion of the tenant space. He stated that they have discussed with the various departments other exits into the site from Northrop and rather than to propose another entrance or exit they have agreed to use an existing service drive which is already in existence at the very north boundary line of the property. He stated that this drive services certain commercial properties that are located to the north and front on Coliseum. He stated that they have arranged with the owners of

the two properties that are nearest Northrop Street to give them easements over the private drive. He stated that they have also agreed to improve the drive to the extent required and they will bear all maintenance costs. He stated that they have agreed to extend the unmountable median along Northrop so that people coming out of the drive cannot make a left turn either onto Northrop Street or to Wells Street, everyone will be forced right to go to the corner of Coliseum and Northrop. He stated they have agreed to fence and gate the access at Mobile Avenue. He stated there is an I&M substation to the south of the property and immediately to the east of the substation they have granted I&M easement for the sole purpose of access rights to Mobile Avenue. He stated that I&M requires that they have direct access from public streets to their substations. He stated they intend to gate Mobile Avenue so that neither service vehicles or customers can use the street. He stated the new development will have access to all of the existing accesses. He stated that they will need to relocate the retention basin which is currently on the site. He stated that it is currently located where they intend to put parking it will be moved down to the south of the property. He stated they will do what is necessary in order to relocate the basin with regard to vacating and relocating easements. He stated they are trying to also satisfy all landscaping requirements. He stated they will conform to the new sign code requirements. He stated that when ever they acquired property on either side of a street or an alley it has been the practice of the center to vacate that right-of-way. He stated that the petition to vacate the portion of Dusing and a portion of alley being heard that evening falls within the area that would be designated as the new detention pond. He stated that the alley and street are not being used for any ingress or egress. He stated if there are any utilities in the street or alley they have agreed to relocate them at their expense.

Janet Bradbury questioned since there is already commercial and industrial development in this area if they saw any problem with regard to public safety.

Mr. Hoover stated they did not feel there would be any problem.

Janet Bradbury questioned since the developers used a private group to do the traffic study if the city had done their own traffic study.

V.C. Seth stated that it was his understanding that the City does not do its own traffic study that they use the consultants traffic study and compare it with their own figures.

Herman Friedrich questioned if the new parking spaces would be adequate.

V.C. Seth stated that they would be more than adequate.

Steve Smith stated that it was his understanding then that the light at Northrop and Fernhill will remain and that another one will be added at the main entrance of the new development.

Mr. Hoover stated that is correct and that those two lights along with the lights at Coliseum Bl will be coordinated.

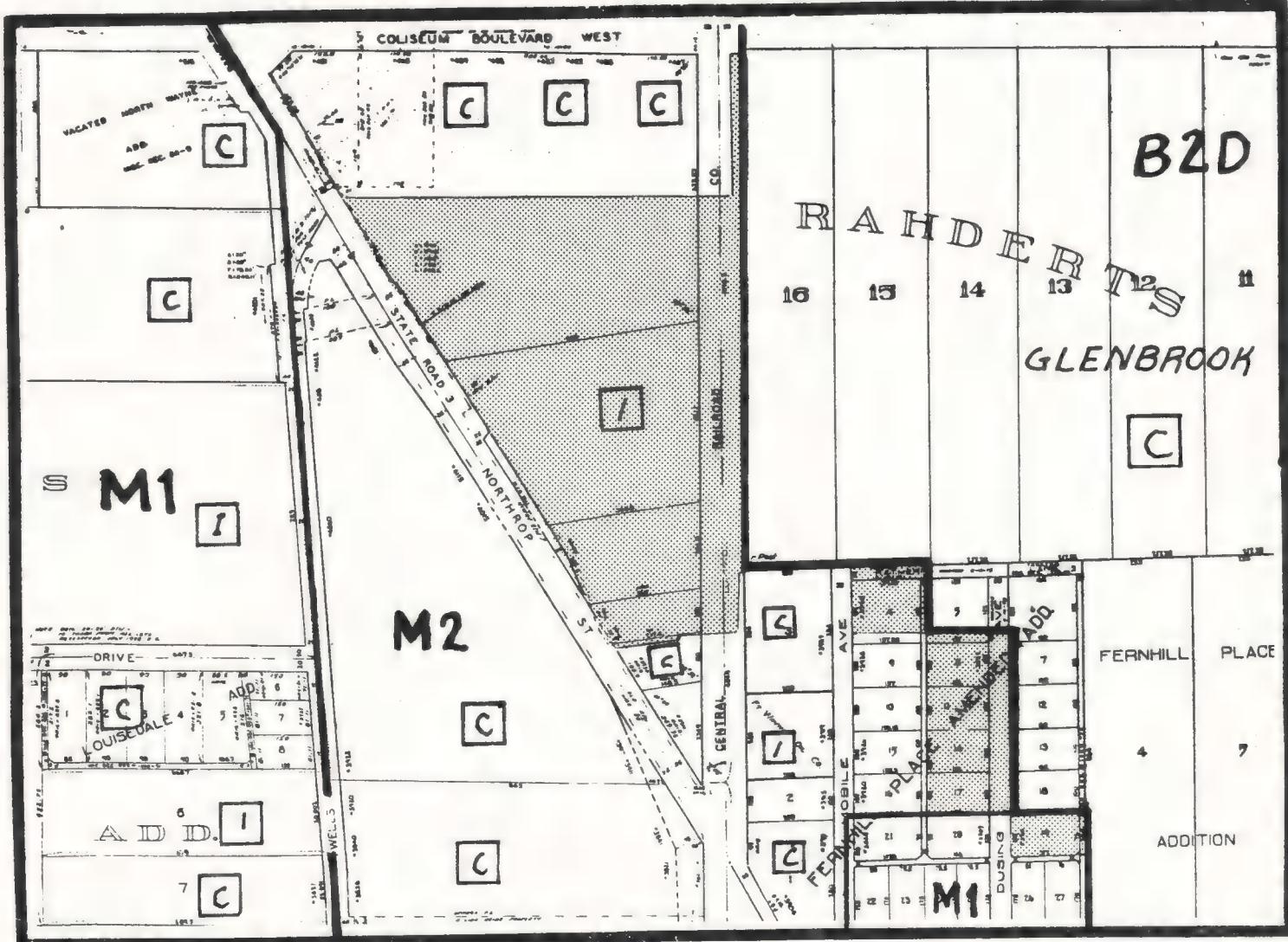
There was no one present who wished to speak in favor of or in opposition to the proposed vacation, rezoning or primary development plan.

# REZONING PETITION #272

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN M-2 DISTRICT TO A B-2-D DISTRICT.

MAP NO. M-26

COUNCILMANIC DISTRICT NO. 3



## ZONING:

B2D REGIONAL SHOPPING CENTER  
M1 LIGHT INDUSTRY  
M2 GENERAL INDUSTRY

## LAND USE:

COMMERCIAL  
 INDUSTRIAL

SCALE: 1" = 400'

DATE: 4-28-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.



Robert Hutner  
Secretary

Change of Zone #272

Robert Hoover, attorney for the petitioner, requests a change of zone from M-2 to B-2-D.

Location: 4020 Northrop Street

Legal: See File

Land Area: Approximately 17.15 acres.

Zoning: M-2

Surrounding:	North	M3/B4	Commercial & Industrial
	South	M-1	Commercial & Industrial
	East	B-2-D	Existing Glenbrook
	West	M-1	Commercial & Industrial

Reason: Two new buildings with a total square footage of 271,671 square feet.

Neighborhood Assoc.: None

Neighborhood Plan: No Comment

Landscape: Development Plans need to be approved by the Plan Commission.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods.

Planning Staff Discussion:

This is a proposal that will effectively be an expansion of the existing Glenbrook Mall. A total of 271,671 square feet is proposed in 2 new buildings in the Commons area. This will bring the total square footage of Glenbrook to 1,320,896 S.F. Tenant space and overall site size are unlimited in this zoning district, providing the building coverage does not exceed 25% of the net site area.

**Change of Zone #272**

The project will have access from Northrop Street, and will allow internal access to the existing Glenbrook Mall. A traffic study was conducted by the applicants consultant, and copies have been delivered to various departments.

The proposed uses would be permitted in the existing zoning designation, but the developer wishes to co-ordinate this development with the existing Glenbrook development, and has requested rezoning in order to provide the city with better controls of the site, and in order to allow for a public hearing. Commercial uses are more compatible with surrounding uses than general industrial uses, and no undesirable precedent would be set by approval.

**Recommendation:**      Do Pass

- 1) There is no limit to the size of development area in a B-2-D.
- 2) The existing zoning would allow the intended uses which would be more compatible with existing uses in the area.
- 3) Approval will allow the Plan Commission control over the site development and signage.



# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

15 June 1987

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-05-29

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
15th day of June 1987.

Robert Hutter  
Secretary

# Division of Community Development & Planning

4-01-00-27 BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON	
Zoning Ordinance Amendment From R-1 to POD			
<b>DETAILS</b>		<b>POSITIONS</b>	<b>RECOMMENDATIONS</b>
Specific Location and/or Address  1907 Getz Road		Sponsor	City Plan Commission
Reason for Project  Construction of an office for use by a dentist and optometrist.		Area Affected	City Wide  Other Areas
THIS REQUEST HAS BEEN WITHDRAWN BY THE PETITIONER		Applicants/ Proponents	Applicant(s)  Wayne & Lois Gilmore City Department  Other
Discussion (Including relationship to other Council actions)  18 May 1987 - Public Hearing		Opponents	Groups or Individuals  Basis of Opposition
Bruce Snyder, attorney for the petitioners Dr. & Mrs. Wayne Gilmore stated that the petitioners wanted to rezone in order to construct a 30' x 72' structure in order to provide an office space for Dr. Gilmore and his son. He stated that Dr. Gilmore is a dentist and his son is an optometrist and that they presently live in the existing structure that is on the property. He stated that they intend to continue to live on the property. He stated that they would construct a building which would be compatible with their existing structure. He stated that they anticipate 10 to 15 parking spaces on the property. He stated that this would be a very low volume, very low traffic project. He stated that the proposed access will be from the south side of the property. He stated there are two accesses on the property, the one on the north side would remain as a private entrance. He stated that they intend to leave as much of the natural landscaping on the property as possible, removing only those trees necessary for the		Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against  Reason Against -would establish a precedent in the Getz Road area -adverse impact on area
		Board or Commission Recommendation	<input type="checkbox"/> By  <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to condition (See Details column for condition)
		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

**DETAILS**

new construction. Mr. Snyder stated that the present water and sewer lines on the property presently should be adequate for the use they are proposing. He stated that the building and parking area will cover 3500 sq ft and the total area is 36,000 sq ft.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

**1 June 1987 - Business Meeting**

Motion was made to accept the requested withdrawal.

Of the 8 members present 7 voted in favor of withdrawal, one (1) did not vote.

Motion carried.

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

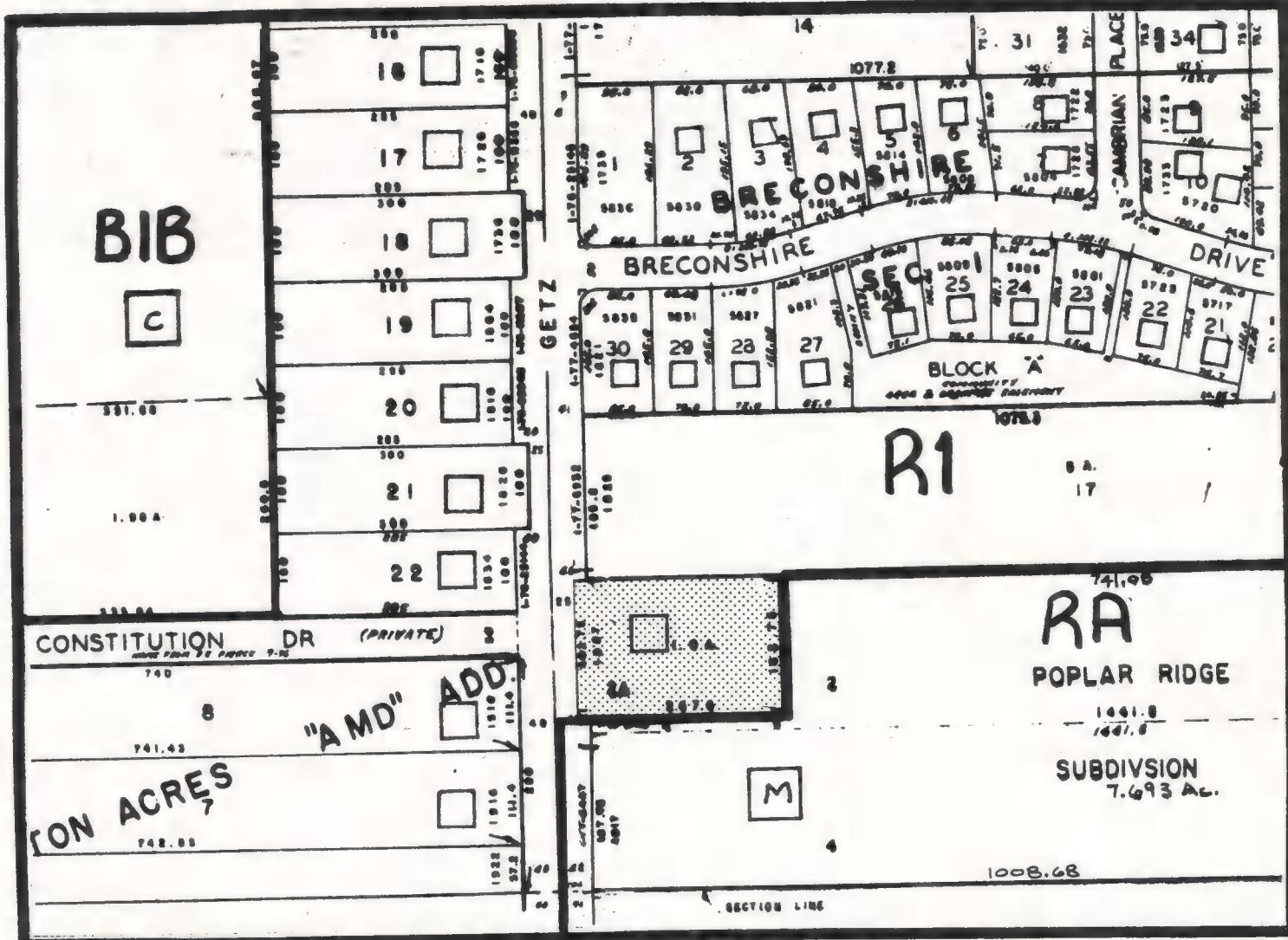
Project Start	Date	20 April 1987
Projected Completion or Occupancy	Date	15 June 1987
Fact Sheet Prepared by	Date	15 June 1987
Patricia Biancaniello Reviewed by <i>Gerry Breten</i>	Date	6/15/87
Reference or Case Number		

# REZONING PETITION #175

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A P.O.D. DISTRICT.

MAP NO. E-2

COUNCILMANIC DISTRICT NO. 4



## ZONING:

R1 RESIDENTIAL DISTRICT  
RA RESIDENCE 'A'  
BIB LIMITED BUSINESS 'B'

## LAND USE:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL
- PUBLIC-CHURCH

SCALE: 1" = 200'

DATE: 4-27-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-29: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.



---

Robert Hutner  
Secretary

Change of Zone #273

Wayne W. & Lois A. Gilmore request a change of zone from R-1 to P.O.D.

Location: 1907 Getz Road

Legal: See file

Land Area: Approximately 0.99 Acres

Zoning: R-1

Surroundings:	North	R-1/RA	Residential
	South	RA	Multi-family Residential
	East	RA	Multi-family Residential
	West	R-1	Single Family Residential

Reason for Request: Office development

Neighborhood Assoc.: Breconshire Neighborhood Association

Neighborhood Plan: No Comment

Landscape: A development plan should have been submitted with the rezoning request.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned lane uses and should not establish an undesirable precedent in the area to be developed. The Goal in the West Sector, where this request is located, is to contain urban growth within the urban service line.

Planning Staff Discussion:

The predominate use in this area is residential, with a mix of single and multi-family uses. The nearest non-residential uses are located at the Jefferson Blvd. or Illinois Road intersections, or off of Constitution Drive to the west.

Due to the nature of the existing development in the immediate area, the Plan Commission needs to examine the possible precedent that this might set. This portion of Getz Road is basically residential and introducing office uses sets precedent for not only the vacant parcels of land, but also for the conversion of existing residential uses to more intense uses.

**Change of Zone #273**

The Plan Commission has already established that office uses along the West Jefferson Blvd. corridor and commercial uses along the Illinois Road corridor would be acceptable.

No development plan was submitted for the site, which is required by the zoning ordinance.

**Recommendation:      Do Not Pass**

- 1) Approval would establish a precedent in the Getz Road area which is predominately residential.
- 2) Land is available along West Jefferson Blvd. and Illinois Road which the Plan Commission has already indicated that they would allow P.O.D.'s and non-residential use.
- 3) Approval would adversely impact the area by changing the residential character of the area.
- 4) Submittal requirements, i.e. the development plan, were not complied with, and the Commission should deny the petition for that reason alone.

MARK GIAGINTA  
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 76/87/E  
77/87/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

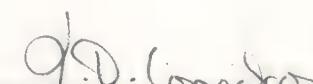
Respectfully Submitted,

*L.D. Consalvos*  
Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 76/87/E  
77/87/D)

I hereby certify that I did this 15th day of  
June, 1987 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 76/87/E  
77/87/D of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1986.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 77/87/D

(Adopted June 11, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 10, 19 87, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

June 11, 19 87, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Poinsette Drive -- preferential -- at Irene Avenue

REGULATORY RESOLUTION NO. 76/87/E

(Adopted June 11, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 10, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 11, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Irene Avenue -- stop -- for Poinsette Drive

MARK GIAQUINTA

President of the Common Council  
City of Fort Wayne, Indiana

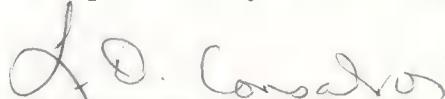
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

78/87/E  
79/87/E  
80/87/E  
81/87/E  
82/87/E  
83/87/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

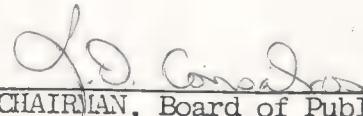


Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 78/87/E 79/87/E) 82/87/E  
80/87/E 83/87/E  
81/87/E

I hereby certify that I did this 23rd day of  
June, 1987 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. see above of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1986.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 78/87/E

(Adopted June 17, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 16, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 17, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Bisque Court -- stop -- for Valdosta Drive

Weymouth Court -- stop — for Valdosta Drive

REGULATORY RESOLUTION NO. 79/87/E

(Adopted June 23, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 51/87/E: NO

PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 19, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 23, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Pemberton Drive -- both sides -- from Forest Avenue to 180' south thereof

REGULATORY RESOLUTION NO. 80/87/E

(Adopted June 23, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 52/87/E: TRAFFIC SIGNAL (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 19, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 23, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TRAFFIC SIGNAL (EMERGENCY)

Coldwater Road and Collins Road

REGULATORY RESOLUTION NO. 81/87/E

(Adopted June 23, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 53/87/E: DELETE:

STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 19, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

JUNE 23, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

STOP INTERSECTION (EMERGENCY)

Collins Road -- stop -- for Coldwater Road

REGULATORY RESOLUTION NO. 82/87/E

(Adopted June 23, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 54/87/E: STOP

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 19, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 23, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION

(EMERGENCY)

Congress Avenue -- stop -- for Monroe Street

REGULATORY RESOLUTION NO. 83/87/E

(Adopted June 23, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 56/87/E: SPEED LIMIT

25 WHEN CHILDREN ARE PRESENT (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 19, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 23, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 25 WHEN CHILDREN ARE PRESENT (EMERGENCY)

Laverne Avenue -- from Lake Avenue to State Blvd.